

**City Council of the Mayor and Council of New Castle**  
**Regular Council Meeting: Town Hall – 201 Delaware Street – New Castle**  
**Friday – February 12, 2010 – 5:00 p.m.**

**Present:**

Council President William Barthel  
Councilperson John Cochran  
Councilperson John Gaworski  
Councilperson Ted Megginson  
Councilperson Teel Petty

**Also present:**

Treasurer Janet Carlin, City Administrator Cathryn Thomas, Solicitor Roger Akin, Master Sergeant Bernard Torre

**Approval of Minutes by Date**

A motion was made by Councilperson Gaworski to approve the minutes of January 12, 19, 20 and 29 and February 4 and 5, 2010, as written. The motion was seconded by Councilperson Petty. The motion was approved unanimously.

**Approval of Treasurer's Report**

Administrator Thomas reported that, as of January 31, 2010, total petty cash on hand was \$400; total cash all accounts for the City, \$353,439.61; total certificates of deposit and Delaware Government Investment Pool, \$2,057,282.39; total checking and savings accounts, \$353,439.61; and total cash on hand, \$2,410,722.00.

Councilperson Cochran made a motion to accept the report as presented. Councilperson Megginson seconded the motion. The motion passed unanimously.

**Report from the City Administrator**

Administrator Thomas complimented the Public Works and MSC workers for their hard work during the recent storms. They worked very hard and long hours during the storms. She also thanked them in person. Also, the City completed the process to obtain the \$1.3 million bond for the three storm water projects. Details and additional information are in her written report.

Council President Barthel said the report was accepted as presented.

**Approval of Staff Reports**

Council President Barthel said the staff reports were accepted as presented in the packets.

**Grant Review**

Councilperson Cochran said the grant expenses for January 2010 were a stimulus grant Atlantic Tactical of N.J. Inc., \$1,505.70; MSAF grant, Cirillo Bros. Inc., \$82,003.96.

**Communications**

Councilperson Petty said she had received letters from residents, as had other members of Council, in support of the City's plan related to recycling and trash collection. The City received roughly 10 letters with the vast majority in support.

### **Business from the Council President**

President Barthel said on this day he had attended, along with others from Council and the City, the annual Police Department awards luncheon. He described it as an enlightening event and the City appreciates the work they do.

### **Unfinished Business**

1. Third Reading and Adoption of Ordinance No. 467, approving that certain parcels be approved for rezoning to R-1 (Low Density Residential), as follows:

- the Deemer property at 901 Delaware Street, Tax Parcel No. 21-010.00-016, requested to be rezoned from OS&R (Open Space and Recreation) to R-1 (Low Density Residential);
- the DiMondi property located adjacent to the Deemer property near Delaware Street but without an address, Tax Parcel No. 21-010.00-017, with a portion of such property requested to be rezoned from OS&R (Open Space and Recreation) to R-1 (Low Density Residential).

President Barthel read the ordinance.

Councilperson Petty made a motion to approve; Councilperson Gaworski seconded the motion.

Solicitor Akin said Council should first hold its discussion and then individual members should state the reasons for their vote.

The applicant declined to provide any additional information.

Councilperson Cochran asked if a traffic study had been conducted. His concern is the traffic through that area. He stated there is a major traffic problem in that area.

Jeff Williams, of Kercher Engineering, said a traffic study is not required by DelDOT. The threshold is not high enough to warrant one.

Councilperson Megginson expressed a similar concern about traffic and felt the addition of 26 residences is going to increase it.

Councilperson Gaworski said the two concerns he has are traffic and the offset of the two streets, which becomes a safety factor. It becomes very confusing without a traffic light.

Councilperson Petty concurred with what the other members of Council said. She added that if the City is going to wait until DelDOT makes a move related to traffic it seems the City is never going to get anything done. The City is low priority to DelDOT. Traffic is the problem—it is the problem throughout the City.

Councilperson Cochran said his concern is if the project proceeds it is going to make the problem of traffic even worse. He asked if the Police Department has any reports or studies on accidents in that area.

Master Sgt. Torre said he could have the department generate that information for a specific time period.

Councilperson Petty said it might be in the City's best interest to have a study done.

Council President Barthel said his main concerns about the project are: First, the size of the easement. The 40-foot easement is not wide enough for emergency vehicles—a safety issue. Second, there are concerns about running utilities and there is not room within the easement. Another concern is a traffic access point on Route 273 which he views as a safety issue and adds to traffic congestion. The proposal's density also concerns him because of the number of vehicles that would be entering the roadway from the development.

Mr. Williams said all of the concerns are well-founded and they will all be handled when the project goes to subdivision (review) in the City's land development process. He said these issues generally are not part of the rezoning process and the proposed zoning is what is recommended in the new zoning map. It would still need additional reviews and approvals by the City, DelDOT, Municipal Services and the Conservation District.

President Barthel said in his view the issues relating to the easement need to be address before rezoning can be approved.

Mr. Williams said the project provides the road width the City requires to provide adequate width for emergency vehicles.

President Barthel called for a vote. The vote was unanimously against the rezoning.

Mr. Akin said nothing precludes the applicant from reviewing and reconsidering any aspects of its proposal and conducting the types of planning City Council has indicated it would like to see and then going back to the Planning Commission. He said Council has been very specific about the issues it sees.

### **New Business**

1. Motion, Discussion and Vote on a Bank Resolution to pay \$100,000 to the New Castle Library Board of Trustees, as the second installment of a three-year, \$300,000 total commitment of the City to help fund the New Castle Public Library capital expansion project.

Councilperson Cochran made a motion to approve the resolution. Councilperson Gaworski seconded the motion. The motion passed unanimously.

2. Discussion on City Services provided now and potentially in the future relative to trash and recycling collection.

President Barthel explained this has been an ongoing discussion and the vast majority of letters have been in favor of going to one day recycling and one day trash pickup each week.

Councilperson Megginson said that, in addition to the letters received, he has had people stop him in public places and tell him they are in favor of it. He would like to see more people sign up for recycling prior to July.

Administrator Thomas said an article in the newsletter explained the City was looking at the proposal and she will put in an article in the next newsletter as well. Roughly 40 percent of the households have

recycling carts now. One issue for Council is whether to charge for the carts after June 30.

Councilperson Cochran said he thinks the move is a great idea and will benefit the City in the long run. He signed up for recycling today.

Council President Barthel said the Council is in agreement to change the collection to one day of trash pickup and one day of recycling each week.

Councilperson Petty asked about a suggestion in one letter about encouraging recycling through the coupon program where residents receive coupons towards products.

Administrator Thomas said the Recycle Bank is still an option but it would cost more. She could have the organization give a presentation to Council.

Council agreed to let people know that carts would be provided free until June 30, but the City would charge individuals the actual cost of the carts after June 30.

Councilperson Cochran made a motion to adjourn. Councilperson Petty seconded the motion. It passed unanimously.

The meeting adjourned at 5:40 p.m.

Respectfully submitted,

Michael A. Dickinson  
City Clerk